

2013 MAR 19 PM 3: 34

**CELA**

**BEFORE THE FEDERAL ELECTION COMMISSION**

In the Matter of )  
 ) RAD REFERRAL 12L-26  
Friends of Weiner and Nelson Braff in )  
his official capacity as treasurer )

**CERTIFICATION**

I, Shelley E. Garr, recording secretary of the Federal Election Commission executive session, do hereby certify that on March 14, 2013, the Commission took the following actions in the above-captioned matter:

**1. Failed by a vote of 2-3 to:**

- a. Open a MUR in RAD Referral 12L-26.
- b. Find reason to believe that Friends of Weiner and Nelson Braff in his official capacity as treasurer violated 2 U.S.C. § 441a(f).
- c. Enter into conciliation with Friends of Weiner and Nelson Braff in his official capacity as treasurer prior to a finding of probable cause to believe.
- d. Approve the Factual and Legal Analysis as recommended in the First General Counsel's Report dated December 10, 2012.
- e.
- f. Approve the appropriate letters.

**Commissioners Walther and Weintraub voted affirmatively for the motion.**

**Commissioners Hunter, McGahn II, and Petersen dissented.**

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2. Decided by a vote of 4-1 to:

MUR # 6727

- a. Open a MUR in RAD Referral 12L-26.
- b. Find reason to believe that Friends of Weiner and Nelson Braff in his official capacity as treasurer violated 2 U.S.C. § 441a(f).
- c. Enter into conciliation with Friends of Weiner and Nelson Braff in his official capacity as treasurer prior to a finding of probable cause to believe.
- d. Approve the Factual and Legal Analysis as recommended in the First General Counsel's Report dated December 10, 2012 subject to the edits previously circulated by Vice Chairman McGahn's office.
- e.
- f. Approve the appropriate letters.

Commissioners Hunter, McGahn II, Petersen, and Weintraub voted affirmatively for the decision. Commissioner Walther dissented.

Attest:

March 19, 2013  
Date

Shelley E. Garr  
Shelley E. Garr  
Deputy Secretary of the Commission

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